

**FILED**

**AUG - 3 2017**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

TIMOTHY L. BLIXSETH,

Appellant,

v.

YELLOWSTONE MOUNTAIN CLUB,  
LLC; AD HOC GROUP OF CLASS B UNIT  
HOLDERS; CIP SUNRISE RIDGE OWNER  
LLC; CIP YELLOWSTONE LENDING  
LLC; CROSSHARBOR CAPITAL  
PARTNERS, LLC; BRIAN A. GLASSER;  
CREDIT SUISSE AG, CAYMAN ISLAND  
BRANCH; YELLOWSTONE CLUB  
LIQUIDATING TRUST,

Appellees.

No. 12-35986

D.C. No. 11-cv-73-SHE  
District of Montana, Butte

Clerk, U.S. Courts  
District Of Montana  
Butte Division

**CERTIFICATION OF JUDGMENT TO BE REGISTERED  
IN UNITED STATES DISTRICT COURT**

The undersigned hereby certifies that the judgment attached hereto as Exhibit A is a certified copy of judgment entered by the United States Court of Appeals for the Ninth Circuit on March 13, 2014 and amended on December 12, 2016, which has been certified by the Clerk of Court for the United States Court of Appeals for the Ninth Circuit.<sup>1</sup>

The undersigned further certifies that no motion to alter, amend, vacate, or reconsider the attached judgment is pending before any court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

*[Signature Page Follows]*

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<sup>1</sup> A summary of the judgment amounts is set forth on Schedule 1 attached hereto.

Dated: August 2, 2017  
Boston, Massachusetts

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Owner LLC*

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*Attorneys for Brian Glasser, Trustee, and  
the Yellowstone Club Liquidating Trust*

**SCHEDULE 1**

**Summary of Judgment Amounts**

- (1) \$105,881.26 in favor of CrossHarbor Capital Partners, LLC and CIP Sunrise Ridge Owner LLC and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see Exhibit A-1* at 39-40);
- (2) An additional \$24,796.41 in favor of CrossHarbor Capital Partners, LLC and CIP Sunrise Ridge Owner LLC and against Michael J. Flynn (*see Exhibit A-1* at 39-40);
- (3) \$42,031.81 in favor of Brian A. Glasser, Trustee, and Yellowstone Club Liquidating Trust and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see Exhibit A-2* at 16-17);
- (4) An additional \$9,065.50 in favor of Brian A. Glasser, Trustee, and Yellowstone Club Liquidating Trust and against Michael J. Flynn (*see Exhibit A-2* at 16-17);
- (5) \$9,505.08 in favor of Yellowstone Mountain Club, LLC and CIP Yellowstone Lending LLC and jointly and severally against Timothy L. Blixseth and Michael J. Flynn (*see Exhibit A-3* at 11-12); and
- (6) An additional \$712.50 in favor of Yellowstone Mountain Club, LLC and CIP Yellowstone Lending LLC and against Michael J. Flynn (*see Exhibit A-3* at 11-12).

**EXHIBIT A**

**Mandate of the United States Court of Appeals for the Ninth Circuit**

***Blixseth v. Yellowstone Mountain Club, LLC, et al.,***

**Case No. 12-35986 (9th Cir. Mar. 13, 2014)**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAR 13 2014

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

TIMOTHY L. BLIXSETH,

Appellant,

v.

YELLOWSTONE MOUNTAIN CLUB,  
LLC; et al.,

Appellees.

No. 12-35986

D.C. No. 2:11-cv-00073-SEH  
U.S. District Court for Montana,  
Butte

**MANDATE**

A TRUE COPY  
ATTEST 07/20/2017  
MOLLY C. DWYER  
Clerk of Court  
by: *Jean Payne*  
Deputy Clerk

The judgment of this Court, entered February 18, 2014, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

Costs are taxed against the appellant in the amount of \$1,048.60.

FOR THE COURT:  
Molly C. Dwyer  
Clerk of Court

Rebecca Lopez  
Deputy Clerk